

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. MJ 07-246
)
Plaintiff,)
)
v.)
) DETENTION ORDER
JESSE MACBETH,)
)
Defendant.)
_____)

Offense charged: Use and Possession of Forged or Altered Military Discharge Certificate;
False Statements

Date of Detention Hearing: May 23, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged by complaint with one count of possessing a forged

01 or altered military discharge certificate that falsely stated his term of active duty service with the
02 United States Army, that he had received a purple heart, that he had served in Operations
03 Enduring Freedom and Iraqi Freedom, and that he had been discharged for military reasons. He
04 is charged with one count of making false statements in a Veterans Application for Compensation
05 and/or Pension and a Certificate of Release or Discharge from Active Duty.

06 2. Defendant's criminal history includes prior warrant activity for numerous failures
07 to appear. There are two outstanding warrants that are extraditable within the state of Arizona.

08 3. Defendant has few ties to this District. He advises that he wishes to reside with
09 his girlfriend but the information could not be verified. He is not employed, and was released from
10 state custody on domestic violence charges just prior to this case being filed.

11 4. Defendant poses a risk of nonappearance due to a history of failing to appear and
12 failing to comply with court orders, a lack of ties to this District, a history of mental health issues
13 and unverified background information. He poses a risk of danger due to criminal history and
14 questions about his mental health.

15 5. There does not appear to be any condition or combination of conditions that will
16 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
17 to other persons or the community.

18 It is therefore ORDERED:

- 19 (1) Defendant shall be detained pending trial and committed to the custody of the
20 Attorney General for confinement in a correction facility separate, to the extent
21 practicable, from persons awaiting or serving sentences or being held in custody
22 pending appeal;

01 (2) Defendant shall be afforded reasonable opportunity for private consultation with
02 counsel;

03 (3) On order of a court of the United States or on request of an attorney for the
04 Government, the person in charge of the corrections facility in which defendant is
05 confined shall deliver the defendant to a United States Marshal for the purpose of
06 an appearance in connection with a court proceeding; and

07 (4) The clerk shall direct copies of this Order to counsel for the United States, to
08 counsel for the defendant, to the United States Marshal, and to the United States
09 Pretrial Services Officer.

10 DATED this 23rd day of May, 2007.

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12 Mary Alice Theiler
13 United States Magistrate Judge
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